

Appl. No. 10/715909
Amdt. dated April 4, 2006
Reply to Office Action of January 12, 2006

Amendments to the Drawings:

The attached sheets of drawings include changes to FIG. 7. The reference designation "721" was added to FIG. 7. FIGS. 8 and 9, also shown on the drawing sheet, remain unchanged.

Attachment: 1 Replacement Sheet
1 Annotated Sheet Showing Change to FIG. 7.

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Remarks/Arguments

1. Applicants thank Examiner for the careful review of the present application, as evidence by the Office Action of January 12, 2006.
2. Applicants elected without traverse species 8, shown in FIGS. 10 and 12, in a paper filed on October 31, 2005. At that time, Applicants elected claims 1 to 5, 9 to 16, and 18 as reading on the elected species, and withdrew claims 6 – 8, 17, 19, and 20. Examiner withdrew from examination claims 3 – 12 and 16 – 20, rejected claims 1, 2, 14, and 15, and objected to claims 13 and 15. Examiner also objected to FIG. 7.
3. **Amendments to the Claims:** Claim 1 was amended to recite a light-beam pointer device that emits a laser beam. This amendment introduces no new subject matter, as the use of a laser beam is discussed in the Specification as originally filed of the present application. See, for example, paragraphs [0008], [0034], and [0037]. Other amendments to claim 1 were for clarification purposes and introduce no new subject matter.
4. Claims 3 – 12 have been cancelled; claims 13 and 14 remain unchanged; claim 15 amended to include a structural cooperative relationship between the general illumination device and the viewing device; claims 16 – 20 have been cancelled; and new claims 21 – 24 added. The amendment to claim 15 is supported by FIG. 10, which shows a general illumination device 102 and by language in paragraph [0043] of the Specification as originally filed. New claim 21 depends from claim 1 and subject matter of this claim is supported by FIG. 10 and the language in paragraph [0043]. Claim 22 is a new independent claim that includes the subject matter of originally filed claims 1 and 13; claim 23 is an independent claim that includes the subject matter of originally filed

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claims 1, 13, and 14; and claim 24 depends from claim 23 and includes the subject matter of originally filed claim 15. None of the amendments to the claims, nor the new claims, introduce new subject matter and Applicants respectfully request approval and entry of these claims.

5. **Amendment to the Drawings:** FIG. 7 was amended to include the reference designation "721," which is described in paragraph [0040] of the Specification as originally filed. This amendment introduces no new subject matter and Applicants request approval and entry of the amendment and withdrawal of the objection.

6. **35 U.S.C. § 102 Rejection:** Examiner rejected claims 1, 2, 14, and 15 as being anticipated by **Mercado (U.S. Patent 6,305,810)**. Examiner asserts that Mercado discloses a viewing device mounted on a support stand, with means for providing omnidirectional positionability of the device, with a light beam pointer device (a point light source LED 58), a control module for switching power to the light-beam pointer device, a general illumination device, and a control module for switching power to a general illumination device (interior dome lamp).

7. Applicants note that Mercado does not disclose apparatus with a light-beam pointer device and a general illumination device, nor does it disclose a control module for switching power to a general illumination device. Examiner suggests that the dome light of the vehicle is the general illumination device, but that dome light is not shown at all in Mercado and is not part of the disclosed viewing apparatus of Mercado. The vehicle dome light is also not suitable to provide the general illumination needed by the Mercado viewing apparatus or the viewing apparatus of the present invention, as the light must illuminate in a direction forward of the viewing apparatus, that is, in a direction beaming away from the plane of the viewing apparatus. In the Mercado case, the dome

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light illuminates toward the viewing apparatus, effectively back-lighting the baby in the carseat. This will make it difficult to see the face of the infant, which is the whole purpose of the Mercado viewing apparatus.

8. Mercado does disclose a device that incorporates a light source, but this light source is a general illumination device that is not suitable as a light beam pointer device. Mercado actually teaches away from using a light-beam pointer device. The "point light source LED 58" suggested by Examiner as a light-beam pointer device is a "low voltage lamp" (Mercado, col. 5, line 59-60), which does not provide a light-beam that could serve as a pointer. Such LEDs are commonly used as indicator lights in electronic devices and emit incoherent, diffuse light that does not travel very far and does not illuminate a "spot" of an external object that is viewed in the viewing apparatus. The light provided by the LED 58 by necessity provides only a very weak light in the vicinity of the mirror. The Mercado device is intended to be mounted only a short distance away from the face of a baby in a carseat and illuminate the face of the baby. Presumably, the light is to illuminate the face of a baby sufficiently so that the person driving the vehicle can see the face in a darkened vehicle, for example, but is not to be so bright that it would cause discomfort to the baby or wake a sleeping baby. A light-beam pointer device, such as is described in the specification and claimed in the present application, would be very unsuitable for the Mercado device, as it would not illuminate a sufficient area to let the mother ascertain the state of the child and, if pointed directly at the baby, would present a serious source of injury to the baby. A baby moves around in her carseat. Just imagine that the baby moves in a way that allows the light-beam pointer to impinge for any length of time directly on her eye or skin.

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9. Claim 1 as amended recites a light-beam pointer device that emits a laser beam. Mercado does not disclose a viewing device with such a light-beam pointer device. Applicants respectfully submit that claim 1, as currently amended, contains allowable subject matter and that neither Mercado, nor any other prior art, anticipates this claim. Claim 13 was deemed allowable, if rewritten in independent form. Applicant submits that claim 13, as dependent upon claim 1, is allowable. Claims 2, 13 – 15, and 21 depend from claim 1 and, thus, also include the allowable subject matter of that claim. Furthermore, Mercado does not disclose apparatus that includes a light-beam pointer device and a general illumination device, as claimed in claim 15. New claims 22 – 24 also include the allowable subject matter of claims 1 and 13. Accordingly, claims 1, 2, 13 – 15, and 21 – 24 are in condition for allowance and Applicants respectfully request that Examiner withdraw the 35 U.S.C. § 102 rejection and allow these claims.

10. This paper is being filed within the shortened statutory period and, thus, no additional fees are due.

Respectfully submitted,



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Enclosed:
Amended Drawing (1 sheet)
Annotated Drawing (1 sheet)

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ANNOTATED MARKED-UP SHEET

4/5

FIG. 9

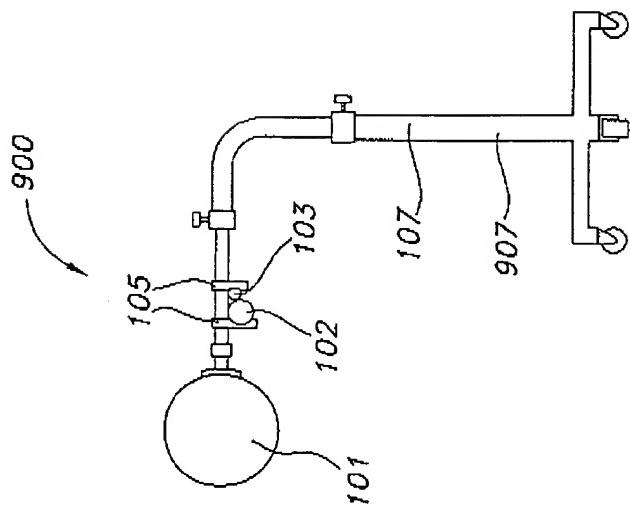


FIG. 8

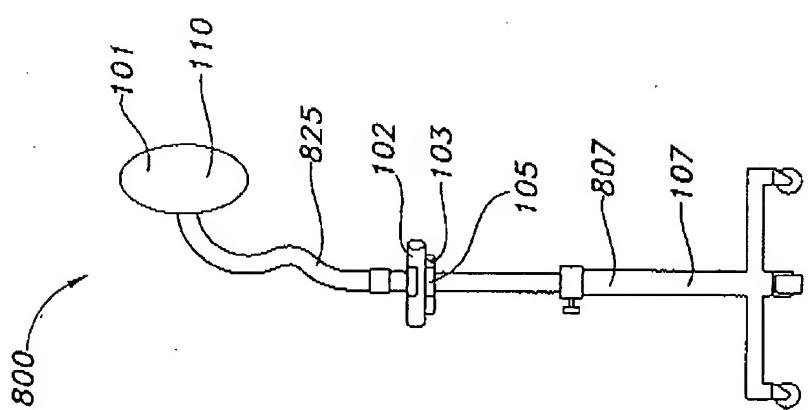


FIG. 7

